

JC05 Rec'd PCT/PTO 25 AUG 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: DELGADO1

In re Application of:
RAY DELGADO Acarreta
Serial No. 10/522,763
IA Filing Date: December 5, 2002
For: COUNTING DEVICE

) Application Division
) ATTN: PCT
) Washington, D.C.
) Confirmation No. 9320
) Date: August 25, 2005

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dularity Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated June 27, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.
[] An exact English language translation of the PCT application as originally filed.
[] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages ___ of the specification and new claims ___ to be used for examination.
[XX] A Preliminary Amendment [XX] Fees are reduced due to elimination of claim multiple dependencies.
[] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.
[] An Information Disclosure Statement with 08A- 1449 and references.
[] Additional fees as calculated below:

[] Basic fee		
[XX] Search fee		\$400.00
[XX] Exam fee		\$200.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
15- 20 =	0	X \$ 50.00
1- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$730.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$365.00>
SUBTOTAL		\$365.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$365.00

[XX] Total fees enclosed: \$ 365.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$365.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

08/31/2005 ATRAM1 00000110 10522763

01 FC:2633 100.00 OP
02 FC:2642 200.00 OP
03 FC:2617 65.00 OP

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By:

Sheridan Neimark
Registration No. 20,520

SN:ses

G:\BNE\elza\DELGADO1\Pto\missingnationaltransmittal\Exclaims.doc

PCT
ELZA.

UNITED STATES PATENT AND TRADEMARK OFFICE

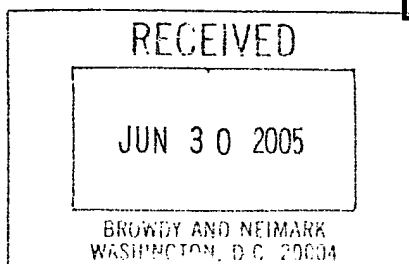
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/522,763	FIRST NAMED APPLICANT Raul Delgado Acarreta	ATTY. DOCKET NO. DELGADO 1
---	--	-------------------------------

INTERNATIONAL APPLICATION NO. PCT/ES02/00580

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
SUITE 300
WASHINGTON, DC 20001-5303

LA. FILING DATE 12/05/2002	PRIORITY DATE
-------------------------------	---------------



CONFIRMATION NO. 9320
371 FORMALITIES LETTER



OC000000016385685

Date Mailed: 06/27/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/28/2005
- Copy of the International Search Report filed on 01/28/2005
- Copy of IPE Report filed on 01/28/2005
- Small Entity Statement filed on 01/28/2005
- Request for Immediate Examination filed on 01/28/2005
- U.S. Basic National Fees filed on 01/28/2005

MSD/DS = 27 AUG 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$625** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$990** for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$200** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27

- Total additional claim fee(s) for this application is **\$ 625**

- **\$625 for 25 total claims over 20.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,763	PCT/ES02/00580	DELGADO 1